

Lavrov on May 14, 2019, and urged him to ensure United States citizens are not unjustly held abroad;

Whereas the Kremlin has refused Paul Whelan full access to his lawyer and the so-called evidence against him, and his trial and sentencing were conducted almost entirely in Russian, a language Mr. Whelan does not read or speak;

Whereas Lefortovo pre-trial detention facility and the Ministry of Foreign Affairs refused to provide medical treatment for Paul Whelan's medical condition, despite being aware of its worsening state, resulting in emergency surgery on May 29, 2020;

Whereas Paul Whelan was wrongfully convicted on June 15, 2020, and sentenced to 16 years in a Russian labor camp by a three-judge panel, in a trial witnessed by United States Ambassador John Sullivan, who referred to it as "a mockery of justice" due to the denial of a fair trial and the exclusion of defense witnesses;

Whereas, in August 2020, on an unknown day because he was moved secretly, Paul Whelan was transferred to camp IK-17, a penal labor camp in Mordovia, where he is forced to work 6 days a week in a garment factory;

Whereas Ambassador John Sullivan, while visiting Paul Whelan at the labor camp in Mordovia, stated that "Russian authorities . . . have never shown the world evidence of his guilt," and reiterated his call that the Russian authorities correct this injustice and release Mr. Whelan; and

Whereas Secretary of State Antony Blinken spoke with Russian Foreign Minister Sergei Lavrov on February 4, 2021, and urged him to release Americans detained in Russia, including Paul Whelan and Trevor Reed, so that they are able to return home to their families in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) implores the Government of the Russian Federation present credible evidence on the allegations against Paul Whelan or immediately release him from imprisonment;

(2) implores the Government of the Russian Federation comply with its international treaty obligations and provide unrestricted consular access to Paul Whelan while he remains imprisoned in Russia;

(3) calls on the Government of the Russian Federation to provide Paul Whelan and all other political prisoners their constitutionally afforded due process rights and universally recognized human rights; and

(4) expresses sympathy to the family of Paul Whelan for this travesty to justice and personal hardship, and expresses hope that their ordeal can soon be brought to a just end.

Mr. REED. I ask unanimous consent that the resolution be agreed to; the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 165) was agreed to.

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution with its preamble, as amended, reads as follows:

S. RES. 165

Whereas United States citizen Paul Whelan is a resident of Novi, Michigan, and a United States Marine Corps veteran;

Whereas Paul Whelan traveled to Moscow for the wedding of a personal friend on December 22, 2018;

Whereas Russia's Federal Security Service arrested Paul Whelan at the Metropol Hotel in Moscow on December 28, 2018, and charged him with espionage;

Whereas the Federal Security Service has never provided any evidence of supposed wrongdoing;

Whereas Paul Whelan was imprisoned in Lefortovo Prison and was held there for more than 19 months after his arrest in pre-trial detention;

Whereas the Federal Security Service has not provided any evidence of supposed wrongdoing;

Whereas a Moscow court extended Paul Whelan's pre-trial detention multiple times without publicly presenting justification or evidence of wrongdoing;

Whereas even Paul Whelan's Federal Security Service-appointed lawyer, Vladimir Zherebenkov, said on May 24, 2019, "[The Federal Security Service] always roll[s] out what they have, but in this case, we've seen nothing concrete against Whelan in five months. That means there is nothing.";

Whereas the then United States Ambassador to the Russian Federation, Jon Huntsman, responded on April 12, 2019, to a question about the detention of Paul Whelan, "If the Russians have evidence, they should bring it forward. We have seen nothing . . . If there was a case, I think the evidence would have been brought forward by now";

Whereas then Secretary of State Mike Pompeo met with Russian Foreign Minister Sergei Lavrov on May 14, 2019, and urged him to ensure United States citizens are not unjustly held abroad;

Whereas the Kremlin has refused Paul Whelan full access to his lawyer and the so-called evidence against him, and his trial and sentencing were conducted almost entirely in Russian, a language Mr. Whelan does not read or speak;

Whereas Lefortovo pre-trial detention facility and the Ministry of Foreign Affairs refused to provide medical treatment for Paul Whelan's medical condition, despite being aware of its worsening state, resulting in emergency surgery on May 29, 2020;

Whereas Paul Whelan was wrongfully convicted on June 15, 2020, and sentenced to 16 years in a Russian labor camp by a three-judge panel, in a trial witnessed by United States Ambassador John Sullivan, who referred to it as "a mockery of justice" due to the denial of a fair trial and the exclusion of defense witnesses;

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Whereas Ambassador John Sullivan, while visiting Paul Whelan at the labor camp in Mordovia, stated that "Russian authorities . . . have never shown the world evidence of his guilt," and reiterated his call that the Russian authorities correct this injustice and release Mr. Whelan; and

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(4) expresses sympathy to the family of Paul Whelan for this travesty to justice and personal hardship, and expresses hope that their ordeal can soon be brought to a just end.

#### AUTHORIZING THE NATIONAL CYBER DIRECTOR TO ACCEPT DETAILS FROM OTHER ELEMENTS OF THE FEDERAL GOVERNMENT ON NONREIMBURSABLE BASIS

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 105, S. 2382.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2382) to authorize the National Cyber Director to accept details from other elements of the Federal Government on non-reimbursable basis, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REED. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2382) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 2382

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORITY FOR NATIONAL CYBER DIRECTOR TO ACCEPT DETAILS ON NONREIMBURSABLE BASIS.

Section 1752(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended—

(1) by redesignating paragraphs (1) through (8) as subparagraphs (A) through (H), respectively, and indenting such subparagraphs two ems to the right;

(2) in the matter before subparagraph (A), as redesignated by paragraph (1), by striking "The Director may" and inserting the following:

"(1) IN GENERAL.—The Director may";

(3) in paragraph (1)—

(A) as redesignated by paragraph (2), by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively; and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

"(C) accept officers or employees of the United States or member of the Armed Forces on a detail from an element of the intelligence community or from another element of the Federal Government on a nonreimbursable basis, as jointly agreed to by the heads of the receiving and detailing elements, for a period not to exceed three years"; and

(4) by adding at the end the following new paragraph:

"(2) RULES OF CONSTRUCTION REGARDING DETAILS.—Paragraph (1)(C) shall not be construed to impose any limitation on any other authority for reimbursable or nonreimbursable details. A nonreimbursable detail made

under such paragraph shall not be considered an augmentation of the appropriations of the receiving element of the Office of the National Cyber Director.”.

#### ORDERS FOR MONDAY, JULY 26, 2021

Mr. REED. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, July 26; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Kim nomination; further, that the cloture motion on the Kim nomination ripen at 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL MONDAY, JULY 26, 2021, AT 3 P.M.

Mr. REED. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 4:08 p.m., adjourned until Monday, July 26, 2021, at 3 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF DEFENSE

ANDREW PHILIP HUNTER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE WILLIAM ROPER.

##### DEPARTMENT OF THE TREASURY

GRAHAM SCOTT STEELE, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE BIMAL PATEL, RESIGNED.

##### DEPARTMENT OF STATE

THOMAS R. NIDES, OF MINNESOTA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF ISRAEL.

TOM UDALL, OF NEW MEXICO, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF SAMOA.

##### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

TAMARA COFMAN WITTES, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE MICHAEL T. HARVEY.

##### DEPARTMENT OF JUSTICE

JONATHAN KANTER, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE MAKAN DELRAHIM, RESIGNED.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate July 22, 2021:

##### DEPARTMENT OF ENERGY

JILL HRUBY, OF NEW MEXICO, TO BE UNDER SECRETARY FOR NUCLEAR SECURITY, DEPARTMENT OF ENERGY.

##### DEPARTMENT OF DEFENSE

HEIDI SHYU, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.

ELY STEFANSKY RATNER, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

SHAWN GRAHAM SKELLY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

MEREDITH BERGER, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF THE NAVY.

GINA MARIA ORTIZ JONES, OF TEXAS, TO BE UNDER SECRETARY OF THE AIR FORCE.

CAROLINE DIANE KRASS, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE.

#### WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 22, 2021 withdrawing from further Senate consideration the following nomination:

ANDREW PHILIP HUNTER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE BRUCE D. JETTE, WHICH WAS SENT TO THE SENATE ON JULY 20, 2021.